

BORIS FELDMAN, State Bar No. 128838
boris.feldman@wsgr.com
IGNACIO E. SALCEDA, State Bar No. 164017
isalceda@wsgr.com
DIANE M. WALTERS, State Bar No. 148136
dwalters@wsgr.com
DOMINIQUE-CHANTALE ALEPIN, State Bar No. 241648
dalepin@wsgr.com
BRYAN J. KETROSER, State Bar No. 239105
bketroser@wsgr.com
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100

Attorneys for Defendants
Accuray Inc., Euan S. Thomson,
Robert E. McNamara, Wade B. Hampton,
Ted Tu, Wayne Wu, John R. Adler, Jr.,
and Robert S. Weiss

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re ACCURAY INC. SECURITIES
LITIGATION

This Document Relates To:

ALL ACTIONS.

) CASE NO.: Master File No. 09-cv-
) 03362-CW
)
) CLASS ACTION
)
) STIPULATION AND ORDER
) REGARDING CONTINUANCE OF
) MAY 6, 2010 HEARING AND CASE
) MANAGEMENT CONFERENCE - **AS**
) **MODIFIED**
)
)
)
)
)

1 WHEREAS, Defendants filed a motion to dismiss plaintiffs' [Corrected] Consolidated
2 Class Action Complaint for Violations of the Federal Securities Laws (the "Complaint") in the
3 above-captioned action (the "Action") on February 8, 2010;

4 WHEREAS, Plaintiffs filed their opposition to Defendants' motion to dismiss on April 1,
5 2010;

6 WHEREAS, pursuant to the Court's March 26, 2010 Order, Defendants' reply
7 memorandum in support of Defendants' motion to dismiss is due to be filed on April 22, 2010
8 and will be filed on that date;

9 WHEREAS, pursuant to the Court's March 26, 2010 Order, the hearing regarding
10 Defendants' motion to dismiss is currently set for May 6, 2010 (the "May 6, 2010 Hearing") and
11 a Case Management Conference is also set for May 6, 2010;

12 WHEREAS, the parties have agreed to schedule a private mediation to explore the
13 possibility of a resolution of the Action;

14 WHEREAS, the parties will endeavor to schedule the mediation promptly;

15 WHEREAS, in light of the foregoing, the parties would like to avoid unnecessary
16 litigation expenses and conserve judicial resources and have thus agreed, subject to Court
17 approval, to continue the May 6, 2010 Hearing and Case Management Conference;

18 WHEREAS, the parties respectfully request that the May 6, 2010 Hearing and Case
19 Management Conference be taken off calendar and re-set for a date convenient for the Court that
20 is at least ninety (90) days from May 6, 2010;

21 WHEREAS, the requested continuance is not for the purpose of delay, promotes judicial
22 efficiency and will not prejudice any party;

23 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
24 undersigned, subject to Court approval, as follows:

25 1. Defendants shall file their reply memorandum on April 22, 2010 as set forth in the
26 Court's March 26, 2010 Order;

27 2. The May 6, 2010 Hearing regarding Defendants' motion to dismiss and May 6,
28 2010 Case Management Conference shall be taken off calendar and re-set for a date convenient

1 for the Court that is at least ninety (90) days from the May 6, 2010 Hearing.

2 Dated: April 16, 2010

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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4
5 By: /s/ Ignacio E. Salceda
IGNACIO E. SALCEDA

6 650 Page Mill Road
7 Palo Alto, CA 94304
8 Telephone: (650) 493-9300
9 Facsimile: (650) 565-5100

Attorneys for Defendants

10 Dated: April 16, 2010

ROBBINS GELLER RUDMAN & DOWD

11
12 By: /s/ Shawn A. Williams
SHAWN A. WILLIAMS

13 100 Pine Street, 26th Floor
14 San Francisco, CA 94111
15 Telephone: (415) 288-4545
16 Facsimile: (415) 288-4534

17 LABATON SUCHAROW LLP
18 CHRISTOPHER J. KELLER
19 JONATHAN GARDNER
20 MARK GOLDMAN
21 140 Broadway, 34th Floor
22 New York, NY 10005
23 Telephone: (212) 907-0700
24 Facsimile: (212) 818-0477


Co-Lead Counsel for Plaintiffs

25 * * *

26 **ORDER**

27 PURSUANT TO STIPULATION, IT IS SO ORDERED. **THE MOTION HEARING**
28 **AND CASE MANAGEMENT CONFERENCE ARE CONTINUED TO 8/12/2010 AT 2:00**
P.M.

Dated: 4/20/2010


The Honorable Claudia Wilken
United States District Judge

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Ignacio E. Salceda, am the ECF user whose identification and password are being used to file the STIPULATION AND [PROPOSED] ORDER REGARDING CONTINUANCE OF MAY 6, 2010 HEARING AND CASE MANAGEMENT CONFERENCE. In compliance with General Order 45, I hereby attest that Shawn Williams has concurred in this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 16th day of April, 2010 at Palo Alto, California.

By: /s/ Ignacio E. Salceda
IGNACIO E. SALCEDA

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